

Application #	<b>W00</b>				
Application Type	<b>Renewal</b> <input type="checkbox"/>	<b>Renewal &amp; Transfer</b> <input type="checkbox"/>	<b>Amendment</b> <input type="checkbox"/>	<b>Initial</b> <input type="checkbox"/>	<b>Other</b> <input type="checkbox"/>

**MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**APPLICATION**  
**COMMERCIAL WASTE WATER DISCHARGE LICENSE**  
**BUREAU OF LAND & WATER QUALITY**

### GENERAL INSTRUCTIONS

It is the licensee's responsibility to renew or transfer their waste water discharge license or permit. Failure to renew or transfer the license or not submitting a timely and complete application may result in termination of the license and/or enforcement action. Applications for transfers, and renewals and transfers are available from the DEP office in Augusta.

Please read the entire application form before furnishing any information. If you need assistance in filling out the form or have any questions, please contact your project manager.

Please be sure to read and follow the instructions on Page 3-4 regarding Public Notice. Public Notice is required by regulation for all DEP licensing actions.

Mail the completed original application with attachments to:

☒ **Overboard Discharge Licensing Program**  
**DEP**  
**17 State House Station**  
**Augusta, Maine 04333-0017**

☒ Submit one copy of application and attachments, to the town or city municipal office where the discharge occurs, and:

Please retain a copy for your own records.

**Your Project Manager**

\_\_\_\_\_  
Name  
\_\_\_\_\_  
His/Her phone #

### APPLICANT AND FACILITY INFORMATION

1. Applicant Name: \_\_\_\_\_  

(Social Security #)
2. Mailing Address: \_\_\_\_\_  

(street & number)

(Town/City)

(State)

(Zip)

(work telephone)

(home telephone)

(Fax number)

(e-mail address)
3. Facility Description: \_\_\_\_\_ gallons per day commercial overboard discharge.
4. Facility Address: \_\_\_\_\_  

(street & number)

(Town/City)

(County)

(Zip)

(Telephone)

Local Tax Map # \_\_\_\_\_

Lot # \_\_\_\_\_
5. Name of Receiving Water: \_\_\_\_\_ Class \_\_\_\_\_
6. Name of Current License Holder: (transfers only) \_\_\_\_\_

7. System Type: (check one) Mechanical\_\_\_\_\_ Sandfilter\_\_\_\_\_ Primary (greywater)\_\_\_\_\_ No Treatment\_\_\_\_\_ Disinfection: Chlorine\_\_\_\_\_ Ultraviolet \_\_\_\_\_ Other(describe)\_\_\_\_\_
8. If you have a sandfilter or primary system, when was the septic tank last pumped?\_\_\_\_\_ The DEP recommends pumping tank every 2-5 years.
9. Is the facility or any part of the waste disposal system within 200 feet of a municipal or quasi-municipal sanitary sewer or have you been contacted about connecting to a municipal sewer? Yes\_\_\_\_\_ No\_\_\_\_\_

### FACILITY USE

Due to significant law changes in 1987 and 1989, the licensing of overboard discharges has been seriously restricted. Specifically, facilities connected to overboard discharge systems are not allowed to increase the volume of the discharge, as estimated or measured, or to increase the months of use. All overboard discharges are limited to the documented use of that facility between June 1, 1986 and June 1, 1987 per state statute. Increases in the volume of the discharge or the number of months used after that time are prohibited and cannot be approved in the license or permit.

If your facility has been relicensed since January 5, 1992 and specifically states the approved use of the facility, the Department will determine the use of the facility based on the previous license or permit, no further evidence of year-round or seasonal use will be required.

10. Facility type: (check all that apply)

Restaurant_____	Apartment House_____	Hotel or Motel _____	Bed and Breakfast _____
# of inside seats _____	# of Units _____	Total# of Units _____	# of rental rooms _____
# of outside seats _____	Central washer? _____	# w/private baths _____	# w/private baths _____
# of employees _____	# of bedrooms per unit _____	# w/shared baths _____	# w/shared baths _____
Disposable Utensils ?	Unit 1 _____	# Houskeeping Units _____	# of employees _____
Yes _____ No _____	Unit 2 _____	# Employees _____	
meals served (circle)	Unit 3 _____		
Breakfast, Lunch, Dinner	Unit 4 _____		
	Unit 5 _____		
Cocktail Lounge _____	Store _____		Office Building _____
Take Out _____	# of employees _____		# of employees _____
Please provide	Please provide Department	Other type of facility, please describe:	
Eating/Lodging Place	of Agriculture License #		
License #			

11. Has the facility been significantly renovated, expanded, or rebuilt since 1987? Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, please describe the changes. \_\_\_\_\_
12. Is there more than one facility connected to the system? Yes\_\_\_\_\_ No\_\_\_\_\_  
If yes, how many?\_\_\_\_\_ who are they owned by? \_\_\_\_\_

**If yes, please review the applicant affirmation on Page 3 and the Property Easement supplemental materials requirement on Page 5.**

13. Other comments?

## INSTRUCTIONS FOR PUBLIC NOTICE

According to State regulations, applicants for DEP licensing actions are required to provide adequate public notice. By following these instructions you will meet the public notice requirements.

1. Complete the **NOTICE OF INTENT TO FILE** form on next page.
2. Send a copy of the completed **NOTICE** form to a paper circulated in the area of the overboard discharge being licensed, to be published in the legal advertisements section in one issue within 30 days of filing the application. If you are not familiar with the local newspaper(s), the town or city clerk may be able to help you. The clerk may be able to give you the phone number of the local newspaper. If not, call information at 411. If you are unable to locate the phone number for a local newspaper, please call your project manager for assistance.
3. Send a copy of the completed **NOTICE** form by certified mail to the owners of the property abutting the land with the overboard discharge within 30 days of filing of the application. The town or city clerk and/or the tax assessors office will be able to assist you in identifying abutters and will be able to give you their most recent address.
4. Send a copy of the completed **NOTICE** form and a copy of the completed application and all supplemental materials by certified mail to the town clerk or city clerk of the municipality where the overboard discharge is located.
5. Send the completed original application (blue form) to the DEP with the application fees and any supplemental materials.

If you have questions about the public notice requirements, please call your project manager at the telephone number on the listed on first page of the application.

## APPLICANT AFFIRMATION AND CERTIFICATION OF PUBLICATION

I (the applicant) certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is subject to this application, at reasonable hours, including buildings, structures or conveyances of the property to determine the accuracy of any information provided herein. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

I am familiar with and understand the statutory requirements of Title 38 MRSA Chapter 3, Section 413 and 414, Protection and Improvement of Waters and Section 464, the Water Classification Program.

I also understand that by signing below, I (the applicant or authorized agent) certify that I have:

1. Published a Notice of Intent to File once in a newspaper circulated in the area where the project site is located within 30 days of filing of the application;
2. Sent a completed copy of the Notice of Intent to File by certified mail to the owners of the property abutting the land upon which the project site is located within 30 days of filing of the application; and
3. Sent a completed copy of the Notice of Intent to File by certified mail and filed a duplicate of this application and supplemental materials with the town clerk or city clerk of the municipality(ies) where the project is located.

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Signature

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Date

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Print name and title of applicant

### NOTE:

**If signature is other than that of the applicant, attach letter of agent authorization signed by applicant.**  
**If there are multiple properties connected to the treatment system authorized by this license all parties must sign this application or authorize one party to act as the agent.**

**NOTICE OF INTENT TO FILE  
MAINE WASTE DISCHARGE PERMIT APPLICATION**

Please take notice that \_\_\_\_\_ of  
(applicant) (applicant's address)

\_\_\_\_\_  
(address)

is intending to file application W00\_\_\_\_\_ with the Maine Department of Environmental Protection  
for a Maine Waste Discharge License pursuant to 38 MRSA Sections 413 and 414-A.

The application is for the discharge of \_\_\_\_\_ gallons per day of treated sanitary wastewater  
(flow)

to \_\_\_\_\_ in the town/city of \_\_\_\_\_, Maine. The application will be  
(receiving waterbody) (municipality)

filed on or about \_\_\_\_\_ for public inspection at the DEP's offices in Augusta during normal working  
(anticipated filing date)

hours. A copy of the application may also be seen at the municipal offices in \_\_\_\_\_, Maine.  
(municipality)

A request for a public hearing or request that the Board of Environmental Protection assume jurisdiction over this application must be received by the DEP, in writing, no later than 20 days after the application is found acceptable for processing, or 30 days from the date of this notice, whichever is longer. Requests shall state the nature of the issue(s) to be raised. Unless otherwise provided by law, a hearing is discretionary and may be held if the Commissioner or the Board finds significant public interest or if there is conflicting technical information.

During the time specified above, persons wishing to receive copies of draft permits and supporting documents, when available, may request them from the DEP. Persons receiving a draft permit shall have 30 days in which to submit comments or to request a public hearing on the draft.

Public comment will be accepted until a final administrative action is taken to approve, approve with conditions or deny this application. Written public comments or requests for information may be made to the Overboard Discharge Unit, Division of Water Resource Regulation, Department of Environmental Protection, State House Station #17, Augusta, Maine 04333. Telephone (207) 287-3901

## ATTACHMENT A

### SUPPLEMENTAL MATERIALS

*The following required supplemental materials will be considered part of this application. Your application will not be accepted for processing until you have submitted all the materials checked (✓) below.*

- \_\_\_\_ **Past Due Annual Inspection Fees or License Fees:** Submit payment of past due annual inspection fees or annual license fees as identified by project manager on Page 2 of this application. If you dispute the accuracy of our records, please discuss this issue with your project manager **prior to** submitting this application and be prepared to produce documentation of fees paid in the form of copies of canceled checks or bank records.
- \_\_\_\_ **Facility Use Documentation:** Please refer to Attachment B.
- \_\_\_\_ **Geographic Site Map:** Submit a U.S. Geological Survey map or U.S. Coastal and Geodetic Survey map (7 1/2 or 15 minute series) illustrating the location of your waste discharge. Indicate the location of your property and discharge point on the map as accurately as possible. U.S. Geological Survey maps are available at local sporting goods and book stores.
- \_\_\_\_ **Municipal Tax Map:** Submit a copy of a tax map from the Tax Assessor's office in the town or city where your waste discharge occurs. The tax map should identify the map and lot number of your property as well as the names of abutting landowners. Please, indicate property line dimensions, the location of wells, dwellings and the overboard discharge system.
- \_\_\_\_ **Property Easements:** If any part of your overboard discharge system, including the discharge pipe, is located on property owned or controlled by another party, submit a copy of the easement granting the rights to use that property. If other parties use any part of your system, please provide the names of the other property owners and a copy of the easement or agreement that allows this use. Please note, licenses or permits for shared systems must reflect all parties connected to the system and all parties must sign Page 3 of this application to provide a statement authorizing one party to act as agent for the other(s).
- \_\_\_\_ **Proof of Title, Right or Interest:** Submit evidence of ownership or of interest in the property on which the overboard discharge system is located. A copy of the deed is preferred.
- \_\_\_\_ **Service Contract:** If any part of your overboard discharge system is a mechanical treatment plant, submit a copy of a valid service contract entered into with a qualified maintenance contractor approved by DEP.
- \_\_\_\_ **Site Evaluation Report:** A site evaluation of your property, conducted in accordance with the State of Maine Subsurface Waste Water Disposal Rules, is required. The evaluation must be conducted by a licensed Site Evaluator and must be completed on HHE-200 form pages 1 and 2 for the purpose of determining whether subsurface disposal is possible. The Site Evaluator may use the replacement system criteria of the Disposal Rules to make the determination. You can obtain a list of licensed Site Evaluators from your local plumbing inspector.
- \_\_\_\_ **Other:** \_\_\_\_\_

## ATTACHMENT B

### FACILITY USE EVIDENCE REQUIREMENTS

In order to document year round use, the applicant must provide clear and convincing evidence that the facility was continuously occupied for more than 6 months between June 1, 1986 and June 1, 1987 (critical period). However, the facility does not have to be continuously occupied by the owner, continuous use by a tenant(s) during the critical time period can be used as evidence for year-round occupation.

Evidence of year round-use must include the following:

1. Documentation that the facility is the owner's primary residence during the critical period. Evidence to prove this must include at least 2 of the following:
  - A. Voter registration, contact your town office.
  - B. Maine State tax returns, contact Maine Revenue Service, Income Tax Division (207)626-8475
  - C. Drivers license, contact Maine Bureau of Motor Vehicles (207)624-9000,
  - D. Car registration, contact Maine Bureau of Motor Vehicles (207)624-9000.

OR

2. Other Documentation. You must include at least 2 of the following;
  - A. Town Tax cards showing house winterization or seasonal conversion prior to critical period,
  - B. Notarized affidavits from town officials attesting to the fact that the facility was continuously used during the critical period,
  - C. Notarized affidavits from neighbors attesting to the fact that the facility was continuously used during the critical period,
  - D. Rental contracts for winter months during critical period,
  - E. Utility records or payments clearly showing continuous use (not just basic service).

**If you are providing evidence to document year-round use, please provide legible copies and be sure that any affidavits reference the critical period of June 1, 1986 to June 1, 1987. This information MUST be provided if you wish to obtain approval for year-round use.**

The documentation of year-round use provided by the applicant must be supported by information in the Department's administrative record. If it is not or if there is conflicting information, more documentation may be required.

Evidence that would indicate seasonal use, unless significant and compelling information to the contrary is provided, includes but is not limited to the following:

1. Seasonal license
2. No winter water
3. Sewage treatment system exposed to elements (subject to freezing)
4. Seasonally sized sandfilter
5. Seasonal house per town tax cards
6. The following will also be considered;
  - No central heat
  - No foundation
  - No insulation